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G. WASHINGTON A L--R

COURT RECORDS WHICH SEEM TO PUT THE CHERRY TREE YARN OUT OF BUSINESS—THE FATHER OF HIS COUNTRY NAMED IN AN INDICTMENT WHICH ALLEGES FALSE SWEARING.

WASHINGTON, Oct. 2.—Documentary evidence has just been discovered in Fairfax County, Va., to prove that George Washington was not always regarded by his neighbors as a model of veracity. At the May term of the Fairfax County Court in 1760 he was publicly "presented" by the Grand Jury for swearing to a false list of his taxable property. In other words, 12 citizens of his home county officially branded him as a liar and a tax-dodger.

The discovery of this record was made by Captain S. R. Donahoe, editor of the Fairfax Herald. While seeking data for a history of the country, which he is engaged in writing, Captain Donahoe had occasion to examine the ancient records of the county court, and there he unearthed, a day or two ago, startling proof of the fact that in 1760 criminal proceedings were instituted against Washington for not entering his property for taxation agreeably to law, an offense which involved the making of a false oath.

On page 463 of a volume entitled "Liber A," the minute book of the court, Captain Donahoe found the report of the Grand Jury of Fairfax County, Colony of Virginia, rendered to the Court on May 2, 1760, and in it, in company with presentments for thievery and indictments for landing Quakers, was the following:

"We present George William Fairfax, George Washington, John Carlyle, Daniel French, Robert Bogges, Catesby Cocke, Townsend Dade, Sybill West, Garrard Alexander, Dede, Minima Minor, William Ramsay, Benjamin Grayson, George Mason, John Plummer, Daniel McCarty and Abraham Barnes for (not) entering their wheeled carriages agreeably to law, as appears to us by the list of delinquent to the Clerk of the County."

The word "present" as used in this report carried in those days only a slightly different meaning from that of the word "indict," a difference largely technical.

"The old laws of the Colony of Virginia," today said Walter T. Oliver, of the Virginia Legislature and a prominent lawyer of Fairfax, "provided for criminal proceedings in two ways; by indictment or presentment. In case of indictment the King's counsel initiates the prosecution, bringing the facts before the Grand Jury, who then reported an indictment to the court; in case of presentment, however, the Grand Jurors proceeded on their own initiative without the assistance or intervention of the counsel. They summoned witnesses, and, if to the minds of the twelve, the facts showed the suspected person guilty of a crime, the case was 'presented' to the court, whereupon proper writs of apprehension were issued for the accused and the King's counsel ordered to prosecute the case. So that, so far as the legal significance of the word means a grave criminal charge by an authorized jury, 'present' has, in this instance, the same force as 'indict.'"

"Further," said Mr. Oliver, "that an owner's failure to 'enter' any property should have been dealt with as a crime rests upon the meaning of the word 'enter' in the formal presentment. Under Colonial law an owner, unless he was willing to permit the county official to make a schedule of his taxable property, made out a list of it himself. To protect the public revenues against fraud, the law provided that, subjoined to the list of property, should be the following oath, taken by the owner:

"I, —, do solemnly swear that the property entered in the foregoing list is all, both real and personal, subject

to taxation of which I am seized and possessed in the county of —, in the Colony of Virginia."

"This oath was duly made and attested before an authorized official. The offense of swearing falsely to a property list, while really perjury, was made a separate offense by act of the House of Burgesses. Thus it was that Washington was criminally charged, not with perjury, but with not 'entering' certain property."

In short, the greatest of Americans was believed on judicial history and examination by 12 substantial men of his country, to be guilty of what is today termed "tax-dodging."

Yet he was in good company. The William Fairfax with him was a nephew of the great Lord Fairfax, whose possessions would have easily blanketed half a dozen German principalities; and the George Mason caught in this judicial drag net was afterward the author of the celebrated Bill of Rights and the bosom friend of Thomas Jefferson.

The tradition that Washington was officially charged with swearing to a false tax list for the purpose of evading the payment of taxes has been passed around the gossiping circles of the sleepy old village of Fairfax for all the generations of the last century. But, until it was proved to be true by Captain Donahoe's discovery, no special credence was placed there. According to tradition, Washington was nailed up before the court some half dozen times for this offense. The particular record referred to here, however, has only this single case.

It is unfortunate that there are no records left of the result of this proceeding. This book alone of all the records survives. When in the conflict between the States the armies of the North swept through the village of Fairfax the Union soldiery pillaged the historic Courthouse building and burned or bore away every volume and record it contained. Only the will of Washington, which had been taken to Richmond for safe-keeping on the advance of McDowell to Bull Run, was preserved. About ten years ago the clerk of the county was astonished to receive this lone volume, "Liber A," from a citizen of Pennsylvania, who said in explanation that, as administrator of the estate of a Northern soldier, lately deceased, the book had come into his hands. It had been taken by the man while campaigning in Virginia as a trophy.

The records are in the scholarly handwriting of the 18th century, and, though the paper is faded and crumbling with age, the ink is still clear and the presentment of Washington by the Grand Jury is as legible as a page of yesterday's typewriting. There is one defect in this passage, however. The word "not" was omitted by the clerk who penned the court record. A "not" was interlined, whether at the time or not, it is impossible to tell.

BOOTH FOR LARGE FAMILIES.

BOSTON, Sept. 29.—"Better seven-teen in a family, or even 24, as in Germany, than one or two spoiled children," is the opinion of General William Booth, of the Salvation Army. In discussing race suicide the General, who is here on a visit, declared that parents who have but one or two children always indulge them, and that this indulgence creates recklessness. He condemned old age pensions, saying it was only another scheme for idleness, and as to Christian Science he remarked that any breaking away from old faiths was better than slumber.

"I, —, do solemnly swear that the property entered in the foregoing list is all, both real and personal, subject



MISS JULIE FLORENCE WALSH

WOMEN SUFFER

Many women suffer in silence and drift along from bad to worse, knowing well that they ought to have immediate assistance.

How many women do you know who are perfectly well and strong? The cause may be easily traced to some feminine derangement which manifests itself in depression of spirits, reluctance to go anywhere or do anything, headache, dragging sensations, flatulency, nervousness, and sleeplessness.

These symptoms are but warnings that there is danger ahead, and unless heeded, a life of suffering or a serious operation is the inevitable result. The best remedy for all these symptoms is

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made from native roots and herbs. No other medicine in the country has received such widespread and unqualified endorsement. No other medicine has such a record of cures of female ills.

Miss J. E. Walsh, of 228 W. 56th St., New York City, writes:—"Lydia E. Pinkham's Vegetable Compound has been of incalculable value in restoring my health. I suffered from female illness which caused dreadful headaches, dizziness, and dull pains in my back, but your medicine soon brought about a change in my general condition, built me up and made me perfectly well."

Lydia E. Pinkham's Vegetable Compound cures Female Complaints, such as Backache, Falling and Displacements, Inflammation and Ulceration, and organic diseases. It is invaluable in preparing for child-birth and during the Change of Life. It cures Nervous Prostration, Headache, General Debility, and invigorates the whole system.

Mrs. Pinkham's Standing Invitation to Women

Women suffering from any form of female weakness are invited to write Mrs. Pinkham, at Lynn, Mass. Her advice is free.

WORLD'S NEWS BY CABLE

ARRESTED IN RUSSIA.

ST. PETERSBURG, October 21.—W. Walling, of Indianapolis, whose wife is a sister-in-law of Rose Strunsky, has been arrested for complicity in Finnish plots against the Russian Government.

Rose Strunsky was formerly of San Francisco and collaborated with Jack London in the authorship of the "Wace-Kempton Letters."

William English Walling is a writer on labor questions, born in Louisville, Ky., March 14, 1877, and a graduate of the University of Chicago in 1897, taking graduate work in economics and sociology during 1899-1900. In 1901-2 he was a factory inspector in Illinois, and since then he has been a resident at University Settlement in New York. He has been a contributor on the labor question to the Independent, the World's Work, The Outlook, World Today, and to the Annals of the American Academy of Political and Social Science. He is a member of a number of political and social science associations.

Finland was an independent country until annexed to the Russian crown by the father of the present Czar. It became a part of the Russian Empire, however, only after the most solemn promises that its ancient rights and liberties should be secured to it. These promises, as all the world believes, were most unscrupulously broken by the present Czar, and there has been dissatisfaction and plotting against the Czar ever since.

REPUBLICAN CONVENTION.

WASHINGTON, October 21.—The Republican National Committee will meet December 6 to arrange for the time and place of holding the National Republican Convention next year.

KILLS THREE BEARS.

STAMBOUL, La., October 21.—President Roosevelt, has returned from his hunting excursion into the wilds. He killed three bears, six deer, one wild turkey, twelve squirrels, opossum and a wildcat. All were eaten except the wildcat.

TO THE RESCUE.

NEW YORK, October 21.—The New York Clearing house has decided to protect the Mercantile National Bank. The Helms and Morse interests have been eliminated. It is believed this will prevent a crisis in the present panic. Seth Milliken has been elected president of the Mercantile National Bank which will now go into slow liquidation.

Seth Milliken is a member of the firm of Milliken Brothers, contractors and manufacturers of certain classes of machinery. The firm constructed buildings for sugar mills in these islands, also the Young Hotel structure.

NINE BALLOONS ENTERED.

ST. LOUIS, October 21.—Nine balloons representing America, England, France and Germany have been entered in the aeronautic contest today for the Gordon Bennett Cup.

LARGER CANAL.

WASHINGTON, October 20.—Because of the fact that the plans of shipbuilding now include the building of much larger ships than have been formerly the case, it has been decided by Rear Admiral H. H. Rosseau, C. E. of the Bureau of Yards and Docks, that it will be necessary to widen the Panama canal in order to accommodate the shipping that may want to pass through it. He arrived at Washington yesterday with the plans he had drawn up for the purpose of submitting them to the government officials.

The projected widening of the canal will involve the expenditure of many millions in addition to the first estimated cost, and will require an extension of time for the work of completing the canal.

FILIPINOS GIVE THANKS.

MANILA, October 20.—A joint resolution has been passed in the Legislative Assembly thanking the Americans for the boon they have conferred on the Philippines by extending to the people a system of local self government.

Yesterday Secretary Taft visited the schools throughout the city.

MAGILLS ACQUITTED.

DECATUR, October 20.—The Magills, husband and wife, who were under trial for the alleged poisoning of the first wife of Magill, a sister of the second wife, have been declared not guilty.

DRIFTED FOUR DAYS ON LAKE.

CHICAGO, Oct. 3.—After drifting about Lake Michigan for four days in a 26-foot sailboat, Austin A. Higbee, of Coloma, Mich., was picked up today, nearly starved, two miles off the entrance to the Chicago River.

Higbee left Thunder Mountain, Mich., Monday, but the centerboard of his boat was lost and he was unable to direct the course of the craft. He was blown across the lake, and had nothing to live upon but a few raw potatoes.

LEPERS ARE NOT ALLOWED ANY DOGS

THE PHILIPPINE SETTLEMENT NOT LIKE THE ONE ON ISLAND OF MOLOKAI

MANILA, September 22.—A school of Esperanto is to be established at Cullion leper colony on account of the diversity of languages now spoken within its narrow limits. There are now inhabitants from almost all the islands of the archipelago and the need of the use of interpreters makes it almost impossible to attend to the wants of all with promptitude. The people themselves are unable to converse with one another in many cases and it is believed that it would be far easier for them to learn the new universal language than English.

Dr. Heiser states that the only complaint he received while on his visit at Cullion was from some of the inmates of the hospital who wanted a number of dogs to be sent to them. Filipinos like all other people take to pets and these people, so far away from their relatives, friends and acquaintances, want dogs to be imported so that they may have some living playing playthings.

The request had to be denied for sanitary reasons. Persons with leprosy hands stroking a dog would leave on the fur bacilli which other persons not infected would come in direct contact with in case of fondling the same dog, a thing most everyone does.

Another reason would be the expense or maintenance of these dogs which would naturally increase in a short time and would eventually overrun the colony.

Among the pending changes in the colony is the appointment of a chief of police. As soon as the proper papers can be made out this appointment will be given to the Filipino Lieutenant of constabulary recently discharged from the force and taken to the settlement suffering from the dread disease.

LUMIERE'S DRY PLATES

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A Lost Leader.....E. P. Oppenheim
Clementina's Highwayman.....Robt. Stephen and Geo. Westley
Pinafore Palace.....Kate Douglas Wiggin
Helena's Path.....Anthony Hope
The Car of Destiny.....C. N. & A. M. Williamson
The Blue Ocean's Daughter.....Cyrus Townsend Brady
The Daughter of Anderson Crow.....Geo. Barr McCutcheon

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